

Appl. No. 10/811,695
Atty. Docket No. 9595
Response dated March 24, 2009
In response to Office Action of September 24, 2008
Customer No. 27752

REMARKS

Claim Status

Claims 21-40 are pending. Claims 1-4, 6, 8-10, 14, and 17-20 were rejected under 35 USC § 102(b). Claims 12, 13 and 15 were rejected under 35 USC § 103(a). With this response, claims 1-4, 6, 8-10, 12-15, and 17-20 are canceled, new claims 21-40 are added, and no claims are withdrawn or amended.

Rejections Under 35 USC § 102 Over Dobrin

Claims 1-4, 6, 8-10, 14 and 17-20 were rejected under 35 USC § 102(b) as being anticipated by Dobrin et al. (US 5,571,096). Claims 1-20 are now canceled.

Independent claim 21, as newly presented, recites in part “A front-fastenable disposable wearable absorbent article...wherein the first side ear includes...a first side ear stretch region having a first side ear lateral tensile modulus that is greater than or about equal to the intermediate lateral tensile modulus” of an intermediate stretch region. Similarly, independent claim 31, as newly presented, recites in part “A pant-type disposable wearable absorbent article...wherein the first side panel includes...a first side panel stretch region having a first side panel lateral tensile modulus that is greater than or about equal to the intermediate lateral tensile modulus” of an intermediate stretch region.

From the Applicant's review, the Dobrin reference does not appear to disclose an absorbent article with a side ear or a side panel having a lateral tensile modulus that is greater than or about equal to the lateral tensile modulus of an intermediate stretch region, as described in independent claims 21 and 31, as newly presented. As a result, the Dobrin reference does not disclose each and every element of the Applicant's claimed invention. Thus, the Dobrin reference does not anticipate either of the Applicant's independent claims 21 and 31. For this reason, the Applicant respectfully requests consideration and allowance of independent claims 21 and 31, and the claims that depend therefrom.

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Rejections Under 35 USC § 103 Over Dobrin

Claims 12, 13 and 15 are rejected under 35 USC § 103(a) as being unpatentable over Dobrin (US 5,571,096). Claims 1-20 are now canceled.

Independent claim 21, as newly presented, recites in part “A front-fastenable disposable wearable absorbent article...wherein the first side ear includes...a first side ear stretch region having a first side ear lateral tensile modulus that is greater than or about equal to the intermediate lateral tensile modulus” of an intermediate stretch region. Similarly, independent claim 31, as newly presented, recites in part “A pant-type disposable wearable absorbent article...wherein the first side panel includes...a first side panel stretch region having a first side panel lateral tensile modulus that is greater than or about equal to the intermediate lateral tensile modulus” of an intermediate stretch region.

From the Applicant’s review, the Dobrin reference does not appear to describe, teach, or suggest an absorbent article with a side ear or a side panel having a lateral tensile modulus that is greater than or about equal to the lateral tensile modulus of an intermediate stretch region, as described in independent claims 21 and 31, as newly presented. As a result, the Dobrin reference does not describe, teach, or suggest each and every element of the Applicant’s claimed invention. Thus, the Dobrin reference does not obviate either of the Applicant’s independent claims 21 and 31. For this reason, the Applicant respectfully requests consideration and allowance of independent claims 21 and 31, and the claims that depend therefrom.

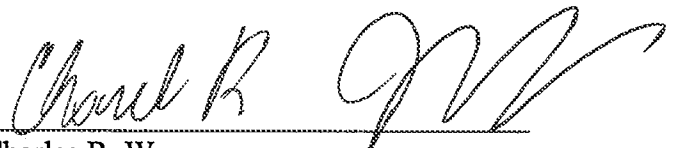
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Conclusion

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the cited references. Accordingly, the Applicant respectfully requests reconsideration of this application and allowance of the pending claims.

Respectfully submitted,

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